

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
WAYCROSS DIVISION**

ETSHO ILUNGA,

Plaintiff,

vs.

DR. SALEM SYED and D. RAY  
JAMES CORRECTIONAL FACILITY,

Defendants.

CIVIL ACTION NO.: CV514-020

**ORDER**

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. In his objections, Plaintiff asserts that, if the GEO Group houses federal inmates, then the GEO Group has to be held accountable to the standard of the Federal Bureau of Prisons. Plaintiff states that, as a federal inmate in federal custody, his issues require resolution in federal court. As the Magistrate Judge noted, the United States Supreme Court has held that a federal prisoner cannot bring a Bivens claim against employees of a privately operated federal prison when state law authorizes adequate alternative damages actions. Plaintiff may pursue damages against Defendants in the courts of the State of Georgia. Plaintiff's objections are without merit. The Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court.

Plaintiff's complaint is **DISMISSED** for failure to state a claim upon which relief can be granted. The Clerk of Court is hereby authorized and directed to enter an appropriate Judgment.

SO ORDERED, this 20 day of May, 2014.



LISA GODBEY WOOD, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA